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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,043	03/26/2001	Harald Brusewitz	34645-00507USPT	1350
27045	7590	11/12/2004	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			PHILIPPE, GIMS S	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/818,043

Applicant(s)

BRUSEWITZ, HARALD

Examiner

Gims S Philippe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10, 12-15, 28 and 29 is/are allowed.
- 6) ☒ Claim(s) 1-9, 11 and 19-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

1. Applicant's amendment received on July 8<sup>th</sup>, 2004 in which claims 1, 6, 7, 10-13, and 18 were amended, claims 16 and 17 were canceled, and claims 19-29 were added has been fully considered and entered, but the arguments are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-9, 11 and 19-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US Patent no. 6175592) in view of Sull et al. application no. 2002/0126021 A1.

Regarding claims 1, 7, 11, and 19-27, Kim discloses an apparatus and method for decoding a compressed video bit stream corresponding to a compressed video signal having a first resolution to a video signal having a second resolution lower than the first resolution (See Kim col. 2, lines 44-51), and comprising downscaling the compressed video bitstream (See Kim col. 5, lines 2-9), and thereafter, decoding the downscaled

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compressed video bit stream to provide the video signal having the second resolution (See Kim col. 20, lines 29-36).

It is noted that although Kim clearly suggest lowpass filtering the DCT frequency components for down converting in an MPEG format (See Kim col. 5, lines 25-32, lines 56-65, and col. 3, lines 57-61), it is silent about the step of removing transform components/coefficients in the downscaling process as well as using a PGA format as specified in the claims.

However, Sull et al. discloses removing transform components/coefficients in a downscaling process as well as using a PGA format (See Sull figs. 3 and 7, and [0090] of page 7, and see fig. 6B and page 7 [0096]).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Kim decoding apparatus by incorporating Sull step of removing transform components/coefficients in the downscaling process. The motivation for performing such a modification in Kim is to reduce computational load as taught by Sull (See Sull page 2 [0023]).

As per claims 2-3, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Kim further provides a bitstream having a modified block size smaller than the give size (See Kim col. 6, lines 45-56).

As per claims 4, and 8-9, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Kim further discloses providing modified block

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size of  $k \times k$  where  $k < 8$  for  $8 \times 8$  DCT blocks (See Kim col. 11, lines 8-18 and col. 14, lines 15-19).

Regarding claim 6, Kim further discloses a method for decoding a compressed video bit stream corresponding to a compressed video signal comprising the step of using the video signal having a second resolution to display an image on a display unit at a second resolution (See Kim col. 5, lines 20-23).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US Patent no. 6175592) in view of Sull et al. application no. 2002/0126021 A1 as applied to claim 1 above, and further in view of Boyce (US Patent no. 6,343,098).

Regarding claim 5, most of the limitations of this claim have been noted in the above rejection of claim 1.

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It is noted that the combination of Kim and Sull is silent about first and second resolutions being CIF and QCIF, respectively.

However, Boyce discloses a decoding method including the steps of providing first and second resolutions being CIF and QCIF, respectively (See Boyce col. 4, lines 55-65).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of providing first and second resolutions to be CIF and QCIF, respectively. The motivation for such modification in Kim and Sull is to reduce interframe redundancy and facilitate encoding as taught by Boyce (See Boyce col. 6, lines 6-10).

7. Claim 10, 12-15, 18, and 28-29 are allowed.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gims S Philippe  
Primary Examiner  
Art Unit 2613

GSP

November 5, 2004